

REMARKS

The Drawings.

The Examiner's rejection of the drawings is respectfully traversed. The last two paragraphs of the specification (see page 13, lines 9 through 26) disclose that the tubes of the catheter can be molded with the longitudinal lumen within the sidewall of the tubes and with longitudinal openings in the sidewalls for receipt of the wire. The wire is described as being assembled in the two tubes by being passed through a longitudinal lumen within the sidewall of one tube and threaded into a similar lumen in the other tube. The wire and tubes are flexible enough so that this treading can be readily achieved. Indeed, the longitudinal sidewall lumens to receive the wire are described as being approximately 15 mils in diameter which is enough to provide an easy slip-fit relationship with a 10 mil wire.

The specification speaks of threading of the wires 26 through the sidewall of the tubes. The threading language is consistent with the passing of the wire through pre-formed openings and lumens within the sidewalls of the two tubes. The disclosure in the last two paragraphs of the specification makes this arrangement quite clear.

Applicants suggest that the drawings are appropriate. The drawings may suggest a somewhat greater clearance between wire 26 and sidewall lumen. But these patent drawings are intended for the purpose of illustrating the arrangement and relations. Applicants believe that the illustrations are not only appropriate but are preferable, so as to demonstrate that the wire 26 is **not** tightly held within the sidewall lumen.

The illustration in FIG. 3 somewhat more accurately depicts the dimensional relationships

involved. But it is believed that the illustration in FIG. 4 does help to convey the general loose fit relationship better.

Accordingly, Applicants request the Examiner to withdraw the objection concerning the drawings.

The Claims.

Applicants provide an entirely new set of claims in part to make examination easier and in part to provide somewhat more appropriate language.

More particularly, Applicants' new main apparatus claim 38 recites that: (a) the engagement member is a "linear" engagement member thereby encompassing the wire and suture arrangements shown in the specification and distinguishing over the wrap around band 20 shown in the Meer '448 reference, (b) that this linear engagement member passes through the surface of at least one of the tube and companion member at the zone where they are connected to one another, (c) that the linear engagement member as well as the tube and companion member extend proximally a distance out of the body of the patent in whom the catheter is embedded, and (d) that it is the withdrawal from the negagement zone of the linear engagement member that causes the other two elements to disconnect so that they can be separately withdrawn.

Claims 39 and 40 specify that the linear engagement member extends longitudinally within the sidewall of one or both of the tube and companion member. This is the arrangement in the preferred embodiment.

Claims 41 through 43 refer to the flexible separating prong 16, a feature of the cancelled claim 2 which the Examiner found to have allowable patentable merit.

Claims 44 through 47 are dependent claims which Specify the flat nature of the surfaces at the zone of

contact. This is a preferred design to assure an ability to seal the assembly to the puncture site of the vein within the body of the patient.

Claims 48 through 51 are dependent claims which are more specific to the two wire embodiment. The Examiner has found this subject matter to provide allowable patentable merit in the allowability of now cancelled claim 5.

Claims 52 through 54 are dependent on the "prong" claims 41 through 43 and refer to the recess for engaging the end of the prong.

Dependent claims 55 through 57 are based on cancelled claim 27, which contains allowable subject matter, and refers to the reinforcement of the prong.

Dependent claims 58 and 59 specify that the zone where the two elements are engaged is within the patient. This location of the engagement zone is a reason why the withdrawal of the linear engagement member feature is important to enable the separation of the two elements (the two tubes or the tube and companion member) so that they can be separately withdrawn from the patient.

Claims 60 through 63 are dependent claims that refer to certain embodiments in which the linear engagement member can be a surgical suture (Claim 60) and to embodiments where the connection zone can be a dove tail (claim 61), a lap joint (claim 62) or the loop design (claim 63). The loop design is shown in FIGs. 9 - 11.

Claim 64 is an independent claim which includes the limitations of claim 38 plus the fetures of a preferred embodiment which includes the wire as the linear engagement member, the flat surfaces at the attachment zone, the separating prong and the engaging recess.

The Prior Art Applied.

The Examiner has rejected certain claims in this case as being anticipated by the Meer Patent No. 4,778,448. Applicants have reviewed the claims rejected and appreciate that a very broad reading of the language in claim 1 would possibly read on the Meer '448 patent.

Accordingly, Applicants have provided a new main claim 38 which makes explicit that the engagement member is a linear member and that it extends proximal of the patient and that it is withdrawn from the attachment zone in order to disconnect the two elements (the tube and companion member) which it holds together so that these elements can be separately withdrawn.

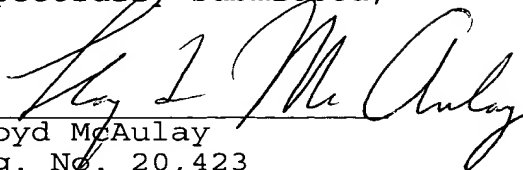
Applicants believe that this claim 38 clearly distinguishes over the engagement member 20 of Meer; which engagement member is described in the '448 patent at column 7, lines 66 through column 4, line 20. Meer teaches a range of techniques for anchoring the two tubes at the zone 4 in this harness arrangement. These techniques include co-extrusion, adhesives, wrapping with a tape, and thermal, ultrasonic or dielectric welding or the like.

A key structural distinction is that Applicants teach a withdrawable linear engagement member thereby performing a different function than does Meer. Meer teaches creating a harness which is secured around the patient's nasal septum (see Meer Abstract).

Applicants believe that claim 38 is allowable over the Meer '448 reference and indeed over any other reference known to Applicants. Similarly all of the rest of the claims in the case, being dependent on claim 38, or including the limitations of claim 38, are allowable for at least the reasons that apply to claim 38,

Thus applicants believe that the claims in this case are allowable and such is respectfully requested.

Respectfully submitted,



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